

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TRAVIS ELAM,)
vs.)
Petitioner/Defendant,) CIVIL NO. 05-cv-4185-JPG
vs.) CRIMINAL NO. 03-cr-40079
UNITED STATES of AMERICA ,)
Respondent/Plaintiff.)

MEMORANDUM AND ORDER

GILBERT, District Judge:

Petitioner pleaded guilty to one count of conspiracy to manufacture and distribute methamphetamine. On September 30, 2004, Petitioner was sentenced to 240 months imprisonment, 10 years supervised release, a fine of \$100, and a special assessment of \$100. On September 29, 2005, Petitioner filed the instant motion under 28 U.S.C. § 2255.

In this motion, Petitioner argues that Counsel was ineffective in several ways – failure to assist him in withdrawing his guilty plea, failure to file a notice of appeal as requested, and failure to advise him of the consequences of the plea agreement, thus rendering the plea agreement void as being not knowing and voluntary. He also claims that his sentence was incorrectly calculated due to inclusion of events that occurred outside of the time frame specified in the indictment.

The Court **ORDERS** the Government to file a response to Petitioner's motion within **THIRTY (30) DAYS** of the date of this Order. The Government shall, as part of its response, attach all relevant portions of the record.

IT IS SO ORDERED.

Dated: April 19, 2006

s/ J. Phil Gilbert
U. S. District Judge